

Notice of Allowability	Application No.	Applicant(s)
	10/561,578	KADNER, MARTIN
	Examiner	Art Unit
	Anjan K. Deb	2858

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to Amendment - After Non-Final Rejection filed 07/25/2007.
2. The allowed claim(s) is/are 1-10.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material 	<ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____.
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DETAILED ACTION

1. This office action is in response to Amendment - After Non-Final Rejection filed 07/25/2007.

Response to Arguments

2. Regarding rejection of independent claims 1 and 6 under 102(b) as being anticipated by Besson (US 5,218,289) applicant has argued that the pair of limiters 40,50 cannot be called a subtractor, and that Besson does not form a difference signal and that the resonant filters 44,54 cannot be called peak detector (see applicant's REMARKS page 4 first and second paragraphs).

Applicant's arguments have been considered and are persuasive.

Allowable Subject Matter

3. Claims 1-10 are allowed.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:

The primary reason for allowance of independent claim 1 is the inclusion of "differential signal of two input signals may be formed over at least one predefined period by means of a first subtracter, at least one maximum value of the at least one differential signal may be detected by means of a first peak detector and at least one minimum value of the at least one differential signal may be detected by means of a second peak detector and at least one further differential

signal may be formed from the at least one maximum value and the at least one minimum value by means of a second subtracter".

The primary reason for allowance of independent claim 6 is the inclusion of "wherein at least one differential signal of two input signals is formed over at least one predefined period, at least one maximum value and at least one minimum value of the at least one differential signal is detected and at least one further differential signal is formed from the at least one maximum value and the at least one minimum value".

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Zimmer (US 4,084,133) disclosed method of and apparatus for determining phase difference between two signals A, B at least one differential signal of two input signals by means of first and second subtractor (-) 17,18 and detector 19,20 for detecting differential signal (Fig. 2).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Anjan K. Deb whose telephone number is 571-272-2228. If

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attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,
Andrew H. Hirshfeld can be reached at (571) 272-2168.

Anjan K. Deb

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9/6/07